

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

Maryann Butler and Audury Petie Davis,

Plaintiffs,

v.

New American Funding, LLC,

Defendant.

Case No. 1:25-cv-00690-PJC

FILED  
HARRISBURG, PA

AUG 05 2025

PER

 DEPUTY CLERK

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**JUDICIAL NOTICE OF ACTIVE DISCIPLINARY  
COMPLAINT AGAINST ATTORNEY JOHN Q. HOWARD**

Plaintiffs respectfully submit this Judicial Notice pursuant to Rule 201 of the Federal Rules of Evidence to inform the Court that a formal disciplinary complaint has been filed against Attorney John Q. Howard, Pennsylvania Bar No. 333-217, on August 5, 2025, with the Pennsylvania Disciplinary Board, Harrisburg Office, located at 100 Pine St, Suite 400, Harrisburg, PA 17101. This submission is made for the purpose of preserving the appellate record, clarifying ethical exposure in relation to prior filings, and reinforcing the procedural integrity of the instant matter.

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**1. Summary of Relevant Conduct**

As documented in prior filings, including ECF 49 (Judicial Notice of Counsel Irregularities) and Exhibit C1 (a letter sent under Fox Rothschild LLP letterhead), Attorney Howard made direct contact with pro se Plaintiffs during a period of recorded third-party harm and attempted to influence or suppress filings with both informal and coercive language.

Specifically, the communication included language requesting that Plaintiffs "withdraw" judicial filings during an active federal proceeding language which, in light of the surrounding facts, was construed by Plaintiffs as an implied threat, especially as it occurred after a 24-hour notice concerning imminent roofing-related harm had already been sent to defense counsel.

This pattern of interaction, on its face, raises questions of:

- Improper influence
  - Ethical impropriety under Pennsylvania Rule of Professional Conduct 8.4(d) (conduct prejudicial to the administration of justice)
  - Possible supervisory lapses by Fox Rothschild LLP under Rule 5.1
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## **2. Complaint Details**

- Attorney Name: John Q. Howard
  - Bar No.: 333-217
  - Complaint Filed: August 5, 2025
  - Complaint Number: 20250805003
  - Office: Pennsylvania Disciplinary Board, 100 Pine St, Suite 400, Harrisburg, PA 17101
  - Attachment: Cover Letter (Exhibit V), summarizing the nature of the complaint and citing attached records (ECF 49 and C1)
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## **3. Legal Relevance**

This notice is submitted not for the purposes of adjudicating ethics violations, but rather:

- To confirm that an active review is underway
- To place the Court and defense counsel on notice that filings and communications originating from or involving Attorney Howard are now part of a reviewable record by a disciplinary authority
- To reinforce Plaintiffs' position that strategic interference occurred in violation of professional obligations, and that such misconduct may render future appearances,

communications, or procedural maneuvers subject to further scrutiny

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This is especially relevant in light of recent motions to strike Plaintiff filings and dismiss curative materials under the guise of procedural formality, while failing to address the unrefuted conduct of Attorney Howard, which may have triggered or shaped much of the current procedural posture.

#### **4. Appellate Record Preservation**

Should the Middle District take action on any motions to strike or dismiss prior to the resolution of the disciplinary inquiry, Plaintiffs formally preserve all appellate rights to raise concerns of ethical prejudice, selective enforcement, and procedural disadvantage.

No ruling affecting the record can ignore the ethical landscape now formally before the Disciplinary Board. This filing further reinforces that any appearance or procedural activity by Attorney Howard post-complaint would constitute both factual and legal exposure for defense counsel and the Court if not handled transparently.

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#### **5. Exhibits Attached**

- Exhibit C1 – Original threat letter sent by John Q. Howard on Fox Rothschild LLP letterhead
- ECF 49 – Judicial Notice of Counsel Irregularities and Ethical Misconduct
- Exhibit V – Cover Letter to the Pennsylvania Disciplinary Board (Complaint No. 20250805003)

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#### **VERIFICATION**

I, Audury Petie Davis, co-plaintiff in the above-captioned action, verify under penalty of perjury under the laws of the United States that the foregoing statements made in this notice are true and correct to the best of my knowledge, and that the attached exhibits (C1, ECF 49, and V) are genuine and accurate representations of the records described.

Executed on this 5th day of August, 2025.

/s/ Audury Petie Davis  
2041 Greenwood Street  
Harrisburg, PA 17104

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Judicial Notice and attached exhibits was served via PACER electronic filing system on counsel of record, Ronald Williams, Esq., Fox Rothschild LLP, on August 5, 2025. No separate courtesy email will be sent.

/s/ Audury Petie Davis  
Co-Plaintiff and Authorized Representative

**EXHIBIT V**

**Cover Letter to Pennsylvania Disciplinary Board**

**Dated: August 5, 2025**

This exhibit contains the formal cover letter sent by co-plaintiff Audury Petie Davis to the Pennsylvania Disciplinary Board, initiating a professional conduct complaint against attorney John Q. Howard (PA Bar No. 333217). The letter summarizes the nature of the ethical violations alleged, references supporting exhibits including the original threat letter (Exhibit C1) and Judicial Notice of Counsel Irregularities (ECF 49), and requests formal review and accountability under the Rules of Professional Conduct.

**Filing Party:**

Audury Petie Davis

2041 Greenwood Street

Harrisburg, PA 17104

**Submitted In Connection With:**

**Judicial Notice of Active Disciplinary Complaint Against Attorney John Q. Howard**

Audury Petie Davis

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Harrisburg PA, 17104

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August 5, 2025

Disciplinary Board of the Supreme Court of Pennsylvania

100 Pine Street, Suite 400

Harrisburg, PA 17101

RE: Follow-Up Submission – Complaint No. 20250805003

Respondent: Attorney John Q. Howard (PA Bar No. 333-217)

Date of Original Complaint: August 5, 2025

To Whom It May Concern:

This correspondence serves as a formal follow-up to my complaint, filed August 5, 2025, against Attorney John Q. Howard (PA Attorney ID No. 333-217), and now officially logged under Complaint No. 20250805003. I respectfully request that the following supplemental documents be included in the investigation record for full and proper evaluation.

Enclosures:

1. Exhibit C1 – Threat Letter issued by Mr. Howard, which includes language interpreted as coercive, advising me to withdraw my pending federal filings despite his lack of formal entry of appearance at the time. This document implicates serious concerns regarding professional boundaries, threats during pending litigation, and unauthorized conduct.
2. Judicial Notice – ECF 49 as filed in the U.S. District Court for the Middle District of Pennsylvania, which formally preserves the threat letter and contextualizes it within ongoing litigation. The notice highlights misconduct, record manipulation attempts, and prejudice during an active period of third-party harm involving both me and my co-plaintiff.

These documents suggest a *prima facie* ethical breach under the following Pennsylvania Rules of Professional Conduct:

- Rule 4.1 (Truthfulness in Statements to Others)
- Rule 4.3 (Dealing with Unrepresented Persons)
- Rule 5.5 (Unauthorized Practice of Law)
- Rule 8.4 (Misconduct – including threats, dishonesty, and conduct prejudicial to the administration of justice)

I request the Board to conduct a full inquiry into Mr. Howard's behavior and to consider the appropriateness of any corrective or disciplinary action under Pennsylvania law and ethics rules. If further documents or statements are required, I am available to cooperate fully.

Thank you for your time, professionalism, and integrity in reviewing this complaint.

Respectfully,

Audury Petie Davis

Complainant

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**Attachments:**

- Exhibit C1 – Threat Letter from John Q. Howard
- ECF 49 – Judicial Notice of Counsel Irregularities